

REMARKS

Claims 1 – 3 were pending in this application.

Claims 1 – 3 were cancelled.

New Claims 4 - 12 have been added.

I. 35 USC 112 Rejections

The Examiner has objected to the wording of Claims 1-3 under 35 USC 112, second paragraph. Claims 1-3 have been cancelled. All pending claims are now believed to stand in proper form under 35 USC 112.

II. 35 USC 102(b) Rejections

The Examiner has rejected Claims 1 - 3 under 35 USC 102(b) as being unpatentable over U.S. Patent No. 3,129,524 to Hayslett.

The rejected claims have been cancelled. The newly filed claims are distinguishable over the Hayslett patent, as is explained in the comments provided below.

III. 35 USC 103(a) Rejections

The Examiner has rejected Claims 1 - 2 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,626,551 to Kearns in view of U.S. Patent No. 3,129,524 to Hayslett.

The Examiner has rejected Claims 1 - 3 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,626,551 to Kearns in view of U.S. Patent No. 3,129,524 to Hayslett and in further view of U.S. Patent No. 5,822,897 to Ertzan.

The rejected claims have been cancelled. The newly filed claims are distinguishable over the Kearns and Hayslett patents, as is explained in the comments provided below.

IV. Distinguishing New Claims Over Prior Art

The newly submitted claims contain two independent claims, which are Claim 4 and Claim 9. Both Claim 4 and Claim 9 are believed to be distinguishable over the cited prior art references as is explained below.

Claim 4 sets forth an advertisement insert for a bound printed publication. The advertisement insert utilizes a page insert that is bound into the printed publication. The page insert includes a perforated detachment line that divides the page insert into a binding attachment portion and a detachable portion. The perforated detachment line enables the detachable portion to be selectively separated from the binding attachment portion, wherein the binding attachment portion remains bound to the bound printed publication.

The claimed detachable portion has fold lines that enable the detachable position to be folded into a free-standing three dimensional display. The free-standing display has a flat face panel. A lenticular printing is provided on at least one section of the flat face panel. The lenticular printing presents an image that varies upon a viewer's angle of observation.

The Hayslett patent shows a picture frame that can be assembled by folding. The picture frame holds a photograph behind a transparent window. The photograph is removable and is in no manner part of the frame structure itself.

The Hayslett patent does not teach, disclose or suggest an advertising display having a lenticular printing present on a face panel of a free-standing advertisement.

The Hayslett patent does not teach, disclose or suggest any type of removable insert for a bound printed publication.

Since these various features are claimed in Claim 4 and are not disclosed in the Hayslett patent, it is believed that Claim 4 and its dependent claims are distinguishable over the Hayslett patent.

The Kearns patent discloses a kit that contains the required elements to enable a person to manufacture their own greeting card.

The Kearns patent does not teach, disclose or suggest an advertising display having a lenticular printing present on a face panel.

The Kearns patent does not teach, disclose or suggest any type of insert for a bound printed publication.

Since these various features are claimed in Claim 4 and are not disclosed in the Kearns patent, it is believed that Claim 4 and its dependent claims are distinguishable over the Kearns patent either as a sole reference or in combination with the Hayslett patent.

The Ertzan patent shows a greeting card that can be folded into a picture frame. Like the earlier mentioned Hayslett patent, the Ertzan patent shows a picture frame that can be assembled by folding. The picture frame holds a photograph behind a transparent window. The photograph is removable and is in no manner part of the frame structure itself.

The Ertzan patent does not teach, disclose or suggest an advertising display having a lenticular printing present on a face panel of an advertisement display.

The Ertzan patent does not teach, disclose or suggest any type of removable insert for a bound printed publication.

Since these various features are claimed in Claim 4 and are not disclosed in the Ertzan patent, it is believed that Claim 4 and its dependent claims are distinguishable over the Ertzan patent either as a sole reference or in combination with the Hayslett patent.

The cited prior art simply does not show a system where an advertisement can be bound into a publication, wherein the advertisement can be removed, folded into a three-dimensional structure and used to display an integral lenticular printing. The cited prior art is therefore does not disclose the matter of Claim 4 and its dependent claims.

Claim 9

Newly presented Claim 9 sets forth a free standing display. The claimed display has a front panel. The front panel has a first side edge and a second side edge. Furthermore a lenticular image is present on this front panel.

A first side panel extends from the first side edge of the front panel. The first side panel has a curved bottom edge. Similarly, a second side panel extends from the second side edge of the front panel. The second side panel has a second curved bottom edge. The first side panel and the second side support the front panel at an inclined angle that varies as the side panels rock upon their curved bottom edges.

A lenticular image is supported by the front panel. The lenticular image presents an image to a stationary viewer that changes as the front panel rocks.

The only cited prior art reference that shows a rocking structure is the picture frame of the Hayslett patent. The Hayslett patent shows a picture frame that can be assembled by folding. The picture frame holds a photograph behind a transparent window. The photograph is removable and is in no manner part of the frame structure itself.

The Hayslett patent does not teach, disclose or suggest an advertising having a lenticular printing present on a front panel of a rocking display so that the rocking causes the observed image of the lenticular image to change. Accordingly, it is believed that Claim 4 and its dependent claims are distinguishable over the Hayslett patent.

V. SUMMARY

Having fully distinguished the pending claims over the cited art, this application is believed to stand in condition for allowance. However, if the Examiner is of the opinion that such action cannot be taken, the Examiner is requested to call the applicant's attorney at (215) 321-6772 in order that any outstanding issues may be resolved without the necessity of issuing a

further Office Action.

Respectfully Submitted,



Eric A. LaMorte
Reg. No. 34,653
Attorney For Applicant

LaMorte & Associates
P.O. BOX 434
Yardley, PA 19067
(215) 321-6772